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CONTEMPORARY FORMS OF SLAVERY

Report of the Working Group on Contemporary Forms of Slavery on its twenty-fifth session

Chairperson-Rapporteur: Ms. Halima Embarek Warzazi

CONTENTS

		Paragraphs	Page
Introduction		1	3
I.	ORGANIZATION OF THE SESSION	2 - 15	3
A.	Opening and duration of the session	2 - 3	3
B.	Documentation	4	3
C.	Election of the Chairperson-Rapporteur	5 - 8	4
D.	Participation	9 - 14	5
E.	Adoption of the agenda	15	5
II.	BONDED LABOUR AND DEBT BONDAGE	16 - 47	5

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CONTENTS (continued)

		Paragraphs	Page
III.	REVIEW OF THE IMPLEMENTATION OF AND FOLLOW-UP TO THE CONVENTIONS ON SLAVERY	48 - 55	13
	A. Status of the conventions	48 - 49	13
	B. Review of information received regarding the implementation of the conventions and programmes of action	50 - 55	13
IV.	REVIEW OF DEVELOPMENTS IN THE FIELD OF CONTEMPORARY FORMS OF SLAVERY AND MEASURES TO PREVENT AND REPRESS ALL CONTEMPORARY FORMS OF SLAVERY, INCLUDING CONSIDERATION OF CORRUPTION AND INTERNATIONAL DEBT AS PROMOTING FACTORS OF CONTEMPORARY FORMS OF SLAVERY	56 - 123	15
	A. Economic exploitation	71 - 77	18
	B. Sexual exploitation	78 - 99	19
	C. Other forms of exploitation	100 - 123	24
V.	ACTIVITIES OF THE UNITED NATIONS VOLUNTARY TRUST FUND ON CONTEMPORARY FORMS OF SLAVERY	124 - 131	27
VI.	RECOMMENDATIONS ADOPTED AT THE TWENTY-FIFTH SESSION	132 - 136	29
	A. General considerations	132 - 135	29
	B. Recommendations	136	29
Annex	Provisional agenda of the twenty-sixth session of the Working Group on Contemporary Forms of Slavery		49

Introduction

1. Upon the recommendation of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, the Economic and Social Council, in its decisions 16 (LVI) and 17 (LVI) of 17 May 1974, authorized the Sub-Commission to establish a five-member Working Group to review developments in the fields of slavery, the slave trade and the slavery-like practices, of apartheid and colonialism, the traffic in persons and the exploitation of the prostitution of others, as defined in the Slavery Convention of 1926, the Supplementary Convention of 1956 on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, and the Convention of 1949 for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. The Working Group on Contemporary Forms of Slavery was established in 1975 and, by decision of the Economic and Social Council, has met regularly before each session of the Sub-Commission.

I. ORGANIZATION OF THE SESSION

A. Opening and duration of the session

2. The Working Group held its twenty-fifth session from 14 to 23 June 2000, including 13 meetings. Opening the session, on behalf of the High Commissioner for Human Rights, the Head of the Research on Right to Development Branch commended the Working Group's activities and said that the financial support given to non-governmental organizations in the field and to former victims of slavery by the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery to enable them to participate in the Working Group's sessions gave a concrete and more human dimension to the testimonies received by the Working Group. He welcomed the fruitful dialogue established between States, non-governmental organizations and the Working Group on various questions, including the traffic in persons, as well as the cooperation initiated in this area between the Working Group, non-governmental organizations and the Office of the High Commissioner for Human Rights.

3. As three of the members appointed in accordance with Sub-Commission decision 1999/113 were either not re-elected or not available, the composition of the Working Group at its twenty-fifth session was as follows: Mr. Alfonso Martinez, Mr. Goonesekere, Ms. Motoc, Ms. Warzazi and Mr. Weissbrodt.

B. Documentation

4. The Working Group had before it at its twenty-fifth session a number of background documents relevant to the issues being discussed, as well as the following documents prepared for the session:

E/CN.4/Sub.2/AC.2/2000/1	Provisional agenda
E/CN.4/Sub.2/AC.2/2000/1/Add.1	Annotations to the provisional agenda

E/CN.4/Sub.2/AC.2/2000/2 and 3	Review of the implementation of and follow-up to the Conventions on slavery. Status of the Conventions: note by the Secretary-General
E/CN.4/Sub.2/AC.2/2000/4	Review of developments in the field of contemporary forms of slavery. Measures to prevent and repress all contemporary forms of slavery, including the consideration of corruption and international debt as promoting factors of contemporary forms of slavery and other forms of exploitation: report of the Secretary-General
E/CN.4/Sub.2/2000/22	Implementation of the Programme of Action for the Elimination of the Exploitation of Child Labour: report of the Secretary-General
E/CN.4/2000/80 and Add.1	United Nations Voluntary Trust Fund on Contemporary Forms of Slavery: report of the Secretary-General

C. Election of the Chairperson-Rapporteur

5. At the first meeting, held on 14 June 2000, only two experts were present, Ms. Motoc and Ms. Warzazi. Failing a quorum for the election of the Chairperson, Ms. Warzazi agreed to act as Chairperson of the Working Group until all the members were present and could elect a chairperson. The Acting Chairperson decided to give priority to consideration of the question of bonded labour and debt bondage, in accordance with the decision taken by the Working Group in 1999.

6. The Acting Chairperson welcomed the presence of many non-governmental organizations and referred to the report of the inter-sessional open-ended Working Group on Enhancing the Effectiveness of the Mechanisms of the Commission on Human Rights, in particular to the proposals concerning the Working Group on Contemporary Forms of Slavery. In her view, the earlier proposal to replace the Working Group by a Special Rapporteur, even of the Commission on Human Rights, would have gone against the interests of the victims of contemporary forms of slavery. For years, and especially since the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery had increased its activities, the Working Group had represented a forum of expression and a platform for non-governmental organizations to share their concerns and experiences with participants, as well as a meeting place between civil society, as represented by non-governmental organizations working in the field and even former victims of various forms of exploitation, and government representatives. No Special Rapporteur could fulfil the role of mediator as well as the Working Group. She felt that the proposed change had been aimed merely at dismantling the Working Group and damaging the visibility it had acquired, because it looked into matters which were not always appreciated by certain developed countries. She therefore considered that the maintenance of the Working Group was a victory for the non-governmental organizations and the victims of exploitation, who could continue to make their voice heard before the international community.

7. She also expressed her concern at information regarding a revival in the traffic in women, especially that originating in countries of Eastern Europe and Kosovo, and the rape of children in institutions set up to protect them. She welcomed the adoption by the World Tourism Organization of a code of conduct on sexual tourism.

8. At the fifth meeting, on 16 June 2000, Ms. Halima Embarek Warzazi was elected Chairperson of the Working Group's twenty-fifth session.

D. Participation

9. The following States Members of the United Nations were represented at the Working Group's meetings by observers: Bangladesh, Egypt, France, Germany, Haiti, India, Indonesia, Japan, Lithuania, Malaysia, Mauritania, Netherlands, Pakistan, Portugal, Republic of Korea, United Kingdom of Great Britain and Northern Ireland and United States of America.

10. The following non-member State was also represented by an observer: Holy See.

11. The International Labour Organization was represented by several observers.

12. The following non-governmental organizations in consultative status with the Economic and Social Council were represented by observers: Association of World Citizens, Anti-Slavery International, Coalition Against Trafficking in Women, International Council of Women, International Federation Terre des Hommes, International Fellowship of Reconciliation, International Movement Against All Forms of Discrimination and Racism, International Service for Human Rights, World Federation of Democratic Youth, Action for Children's Schools Together, Foundation of Japanese Honorary Debts, Mandat International, NGO Group for the Convention on the Rights of the Child - Focal Point of the Sexual Exploitation of Children.

13. The Action for Children Campaign, which regularly supplies information to the Working Group, was represented by observers.

14. The following organizations were also represented by observers: All India, Association Timidria, Bhartya Patita Uddhar, Bonded Labour Liberation Front of India, Bonded Labour Liberation Front of Pakistan, Foyer Maurice Sixto, Gharib Nawas Mahila Avam Bal kalyan Samiti, IDEAS, Saghan Kshetra Vikas, Sahyog, Special Task Force on Sindh, Vimukti Trust and Women of 90th "Angel" Coalition.

E. Adoption of the agenda

15. At the fifth meeting, the Working Group adopted its agenda on the basis of the provisional agenda (E/CN.4/Sub.2/AC.2/2000/1).

II. BONDED LABOUR AND DEBT BONDAGE

16. In accordance with a decision taken at its twenty-third session, the Working Group began by considering the priority item on bonded labour and debt bondage. In article 1 (a) of the 1956 Convention on Practices Similar to Slavery, debt bondage is expressly defined as a practice

similar to slavery. Bonded labour is also forbidden by the 1956 Convention, as well as by article 4 of the Universal Declaration on Human Rights and ILO Convention No. 29 concerning Forced Labour.

17. Debt bondage and bonded labour violate many human rights, especially the right to health, the right to education, the right to personal freedom and security and the right to freely choose employment.

18. According to information obtained, the persons subjected to those practices very often belong to minority groups exposed to discrimination, such as indigenous populations and persons from inferior castes.

19. Many of the speakers who gave information to the Working Group on this question denounced the conspiracy of silence surrounding servitude and bonded labour. Many non-governmental organizations with the financial help of the United Nations Voluntary Trust Fund on Contemporary For.... of Slavery came to the meeting to share their experience, as did former victims, who gave first-hand reports on the way they had been treated.

20. Coincidentally, most of the requests for assistance received by the Voluntary Trust Fund came from India, which explains why so many statements concerned that country. In this respect, the Working Group wishes to make it clear that it does not single out India in any way among other countries and that the presence at the meeting of many representatives of Indian civil society in fact reflected the spirit of democracy and freedom of expression prevailing in the country. Needless to say, despite all the legislation forbidding bondage, India is not the only country where such practices continue to be employed.

21. Most of the non-governmental organizations that reported to the Working Group on the persistence of debt bondage and bonded labour in several regions of India agreed that it was difficult to obtain reliable figures concerning the number of bonded labourers in India, as indeed in any other country. Estimates varied from 44 to 100 million persons in bondage, and some organizations said there were an estimated 65 million children in a similar condition, of which 92 per cent lived in rural areas. The ILO representative confirmed that the only reliable study on the extent of bonded labour in India had been made towards the end of the 1970s in a single region and only for the agricultural sector.

22. Many speakers reported that 94 per cent of bonded labourers had never had the opportunity to attend school, that 63 per cent had no land and that 75 per cent had no possibility of finding any other job. Speakers also agreed on the need to take measures to free and rehabilitate persons in bondage and to prevent the continuation of the practice by making primary education free and compulsory as a means of stopping the bondage of children and breaking the chain of exploitation.

23. One of the testimonies received by the Working Group was that of a non-governmental organization working in the Indian State of Andhra Pradesh. It appeared that the region retained a feudal system, according to which serfs worked the land of the lord and master in exchange only for the right to live there. At present, the bonded labour system fell into four categories: debt bondage, bondage to repay an advance, bondage transmitted from one generation to the next

and child bondage. Clearly, the first three of those categories were closely linked, if not identical, while the third and fourth categories were consequences of the first two. Farm labourers worked at most 100 days a year, for which they did not even receive a minimum wage. This insecure situation forced them to borrow money, which they had to pay back with labour. Entire families found themselves caught in this vicious circle and parents often had to offer their children's labour to repay their debts. That practice still continued, despite the fact that a law had been passed in 1976 forbidding bonded labour and the Supreme Court of India had issued a ruling that same year whereby any work receiving no remuneration could automatically be deemed to be forced labour.

24. A participant funded by the Voluntary Trust Fund told the Working Group about the case of bonded labourers in the Kodai Hills region in the south of India. She said agriculture and forestry were well developed in the area, which had received many influxes of immigrants and had undergone major ecological upheavals. In parts of the region, there was still a proportion of the population situated among the lowest castes. Moreover, agricultural labourers were not all treated the same, with those at the lower end of the scale working in much harsher conditions than the rest. The cases mentioned included that of the *maadharis*, who accounted for 25 per cent of the population of the Kodai Hills villages and of whom 85 per cent were in bondage. More than 33 different tribal groups lived in the Palani Hills, including Paliyars and Pulaiyars. At the lower end of the social scale, 90 per cent of those, who were illiterate, lived and worked in deplorable conditions. Organizations working locally to free and rehabilitate bonded labourers said their work was hampered by legislation which was badly enforced or not at all, by a slow bureaucracy sometimes corrupted by rich landowners and by a lack of political will. She complained of false releases of workers and promises not kept by the State for the rehabilitation of persons kept in bondage. The organizations working against bondage felt convinced that only operations conducted by the bonded labourers themselves with the support of the media and lawyers could eventually lead to their release without the risk of falling back into the same infernal cycle of exploitation.

25. Another participant told the Working Group about the situation of the Kol indigenous community living in the region of Uttar Pradesh in India. That group of people had often migrated through the mountains of the region in order to avoid being trapped into bondage by landowners applying feudal methods. But in trying to escape from that type of bondage, the Kol were trapped by a different type of bondage, imposed by the owners of stone quarries in the region, the *thekedars*. Rejecting any fatalistic acceptance of the situation, however, the Kol had organized themselves into a number of "self-help groups" in an effort to oppose the quarry owners by trying to rent mines and quarries for their own profit. Some Kol even took their cases to the courts in order to obtain a wage increase, which would free them from bondage by enabling them to repay the money they had been forced to borrow. A few claims had been successful. However, he wished to express concern at the violent acts of revenge organized by the quarry owners, which were jeopardizing the few gains made so far in the region by the Kol.

26. An organization assisted by the Voluntary Trust Fund gave the Working Group information about bonded labour in Karnataka in India. The account of the living and working conditions of bonded farm labourers, which was similar to the testimonies of nearly all the other participants, showed that in the region 60 per cent of bonded labourers were under the age of 25, 19 per cent were under 15 and 5 per cent were under 10 years of age. The Working Group was

told that after the law had been passed in 1976, there had been a movement in Karnataka to identify and free bonded labourers, until the beginning of the 1980s. According to non-governmental estimates, only some 25 per cent of bonded labourers had been released, and not all had been rehabilitated. At the beginning of the 1990s, organizations working in the region and some bonded labourers had decided to raise the problem before the authorities and the central government, with a view at least to identifying all bonded labourers and finding out how many there were. According to the account given, the authorities and the organizations had failed to agree on what constituted bonded labour and hence also on the number of such labourers. Legislators and the administration appeared to be little aware of the problem. Both the bonded labourers themselves and the persons trying to obtain their release felt that freeing small groups of individuals was in no way a viable solution to a problem which had to be dealt with systematically and comprehensively at a national level.

27. In response to the Chairperson's request, various speakers put forward recommendations which could be implemented by the Government, civil society and the international community. One general recommendation frequently made referred to the need not only to issue legislation but also to make every effort to ensure its strict and effective enforcement. The NGOs also expressed the view that bonded labourers should be given an actual right to rehabilitation. The will of politicians to end bondage needed strengthening. Free, compulsory primary education was essential to end the infernal cycle of inter-generational exploitation and to stop child labour. An awareness campaign should be undertaken among employers and victims, who mostly adopted a fatalistic attitude. Some participants, including former bondage victims, pointed out that bonded labourers were not just unfortunate victims, but essentially producers of their country's wealth. In their view, all rehabilitation measures should take into account the fact that many of those workers, when they were "freed", wished to continue working in a sector which was familiar to them, but receiving a minimum wage which would allow them to meet their family's needs and to live in dignity. The first step towards release was to ensure that communities were aware of the problem and took an active part in decision-making and production.

28. The Chairman of the Voluntary Trust Fund on Contemporary Forms of Slavery, who was himself a member of a non-governmental organization combating bondage in India, told the Working Group about his personal experience. In his view, the question of bonded labour was very delicate, since any attempt to dismantle the system meant attacking the very social, economic and political fabric of the country.

29. The representative of India said that the presence of a large number of non-governmental organizations in his country showed civil society's determination and commitment to combating a phenomenon which was also kept under close scrutiny by his country's Government. He said his Government was clearly and firmly committed to the eradication of bonded labour, while pointing out that bonded labour originated in the social system inherited by India at independence and was rooted in poverty and illiteracy. He recognized that merely passing legislation was not enough to combat such a phenomenon, which implied a complete upheaval of social structures and tackling factors such as poverty and illiteracy against an economic and financial background which was unfavourable to developing countries. He said India, which had over a billion inhabitants and constituted a real ethnic, linguistic and religious patchwork, had chosen an economic, social and political model which was unique for a former colony with

development problems. It should be remembered that bonded labourers could appeal to independent courts and to the Supreme Court, which, frequent criticism notwithstanding, did provide certain guarantees of law enforcement. Despite undeniable progress, he recognized that the changes introduced could appear too slow for a civil society which was extremely aware of and hostile to bonded labour.

30. Supporting India, the representative of Egypt said that it was important for the international community to assist countries facing financial and economic difficulties. Beyond any action Governments could take, it should not be forgotten that developing countries had to cope with international debts that throttled their economy and paralysed their economic policy. The representative of Pakistan noted that, while the Governments had no intention of evading their obligations, due account should nevertheless be taken of problems related to economic development and globalization, which restricted their sovereignty in terms of deciding their own economic policy. The financial assistance of the international community was an essential aid in combating the causes and factors favouring exploitation and slavery.

31. Referring to the same issue, the representative of Germany said that, while the fight against slavery was a collective responsibility, it was not limited to a simple transfer of funds. Passing and enforcing legislation remained essential factors in the fight against exploitation and invariably involved the responsibility of the State. The role and responsibility of non-governmental actors also deserved to be discussed in-depth, but he felt that the Working Group on Contemporary Forms of Slavery was perhaps not the ideal forum for such a discussion.

32. Also as part of the discussion on bonded labour and debt bondage, the Working Group was informed by speakers subsidized by the Voluntary Trust Fund about the problem of children in domestic service in Haiti, known as "restaveks". Etymologically speaking, the term "restavek" was a contracted form of the French expression *rester avec* (staying with), which illustrated the fact that the children involved were condemned to staying with their employer for as long as the latter wished. The children came from poor backgrounds, often from peasant families obliged to leave the countryside for the town, where they were met only with unemployment and even more poverty. Of all the children working in domestic service, 70 per cent were girls. The restaveks entered employers' houses either as gifts, godchildren, semi-adopted children or semi-wage earners. Regardless of their status on entering the family, they almost invariably ended up being very badly treated. Restaveks performed all kinds of domestic chores or acted as childminders (even of younger children), and often ended up as the subjects of sexual experiments by youngsters of the host families.

33. One speaker gave an account of his organization's activities in Haiti to assist restavek children, by offering them education and a chance to learn a job and become a full member of society. Priority steps towards ending the exploitation of children included combating poverty, creating awareness and changing attitudes.

34. A former restavek came to talk about his experience to the Working Group, after writing a book about his life. He had been given to a family in Port-au-Prince at the age of 4, after his mother had died. Apart from his own experience, he mentioned other cases of children he had known. While the treatment meted out to boys was terrible, girls were even worse off, because they were more exposed to sexual abuse. They were thrown out on the street as soon as they

became pregnant, and often sank into prostitution. The former restavek had escaped slavery by pure chance. His former masters, having emigrated from Haiti to the United States and being faced with having to send him to school, had simply got rid of him. Thanks to the help of one of his teachers and social services, and thanks to his own unusual willpower and intelligence, the young boy had been able to complete university studies and to find a job in the United States. He was currently actively campaigning to stop the use of young children as domestic servants in his country. According to his sources, there were more than 300,000 restavek children in Haiti. In the course of one of his regular visits to his home country, he saw that instruments used to punish young restaveks were openly sold on the street, which made both the use of restaveks and the violence inflicted on them appear regrettably commonplace. His goal was to make the word restavek as well-known and as influential for change as the word apartheid.

35. The representative of Haiti said that the problem of children in domestic service was unfortunately not new in Haiti. The Government had taken measures to improve the economic situation of the country, especially in rural areas, where most of those children came from. There was the possibility that a protocol of agreement between her country and the ILO might be adopted within the framework of the Programme on the Elimination of Child Labour. In October 1999, after a colloquy on child labour held in Haiti, the Government had decided that child labour problems would be dealt with under the Children's Code and no longer the Labour Code. The Government had also opened an emergency line for children. She admitted, however, that there was a long way to go and that her country needed all the technical and financial assistance the international community could give to support its efforts.

36. Also on the issue of debt bondage and bonded labour, the Working Group received information concerning Pakistan. One of the participants said that the reason why such phenomena persisted in his country was that its history had always favoured elitism. One illustration of the phenomenon was the educational system: the British Colonial power had favoured the education of a limited class rather than the population as a whole, thus allowing the emergence of an elite. The gap between the elite and the rest of the population had then become practically unbridgeable. The system had been perpetuated by the country's authorities after independence. Only 27 per cent of the population currently received schooling. Millions of children and adults were in bondage. After borrowing money either from their employer or from rich landowners in the region where they lived, they found themselves obliged to work for insignificant remuneration, which did not even allow them to pay the interest on their debts. Often the landowners claimed they had lent larger sums than they had actually paid and the illiterate workers had no means of proving otherwise.

37. According to the same source, the 1992 Act forbidding bonded labour had cancelled debts and terminated all outstanding proceedings for debt recovery. That law had not, however, been effectively enforced by the provincial governments, on account of the lack of follow-up mechanisms and of the considerable political, economic, social and administrative influence of major landowners within their region. Some progress had been observed recently. On 15 December 1999, the eradication of bonded labour had been declared a priority by the Pakistani Government. At the same time, the Minister of Education had expressed concern at the persistence of child labour, while pointing out that Pakistan's external debt burden hampered all attempts to combat the scourge.

38. Recommendations suggested by participants included the need to pass legislation ending the feudal system that prevailed in Pakistani society. It was also proposed that Pakistan's external debt should be converted into aid for education and that the ILO should increase its assistance under its IPEC programme for the elimination of child labour.

39. The Working Group was also informed about the situation of bonded labourers in the Sindh province of Pakistan. According to the speaker, there were 40,000 bonded farm labourers in the province. Those labourers, known as *haris*, were often falsely accused of having taken out loans with landowners, known as *zamindars*. In that way, whole families of haris were kept under control and some were even said to be chained up at night. Those practices continued despite the adoption of the 1992 Act forbidding bonded labour. Organizations working in the region had succeeded in freeing a number of haris. However, there was no point in freeing them if they could not be offered alternative work, such as the possibility of farming their own land, or the guarantee of a minimum wage for their labour.

40. During the debate, the representative of Pakistan recalled that poverty was a factor favouring situations similar to slavery in developing countries and represented a threat to the most basic human rights. The benefits of globalization were unevenly and unequally spread. In fact, the effect of globalization was to marginalize the poorest and most vulnerable countries and groups. The countries of south-east Asia were among the hardest hit by the phenomenon. Pakistan had never rejected criticism so long as it was constructive, justified and based on real facts. She said that the figures submitted by NGOs at previous meetings of the Working Group, which had evaluated the number of bonded labourers at 20 million and the number of bonded children also at 20 million were completely unrealistic. In view of the considerable criticism the issue had aroused, the Pakistani Government had asked the ILO to make a proper study to assess the situation. The results appeared to show that about 3 million children were currently engaged in some economic activity in Pakistan. A second study was under way to evaluate the number of bonded labourers and children involved in activities defined as the worst forms of child labour in ILO Convention No. 182. Moreover, the Government of Pakistan had taken many measures aimed at eliminating child labour, such as extending primary education to all children, strengthening the role of the family and rehabilitating working children. An agreement had just been concluded between the Government and the European Union for the elimination of child labour. Lastly, the Government had taken very seriously criticism levelled at district inspection committees introduced under the 1996 Act abolishing bonded labour, which had been set up to monitor enforcement of the law. Measures had been taken to overcome the problems raised by civil society.

41. In addition to information it had received at its previous session, the Working Group received further details about the *kamaiya* system still practised in Nepal (see E/CN.4/Sub.2/1999/17, para. 67). It was told that despite the abolition of slavery 74 years ago and the effect of the 1974 Code penalizing bonded labour, and despite the fact that the relevant human rights instruments had been ratified by Nepal, bondage continued to exist in the country. A government study had apparently revealed that more than 46,000 persons were in bondage under the *kamaiya* agricultural system. Although the practice is forbidden, no employer has yet been prosecuted. The speaker drew the Working Group's attention, however, to the fact that a group of 19 bonded labourers had managed to lodge a complaint against their employer. That unique, unprecedented action could open a breach in the system and help the efforts to end

bondage. Since the authorities were doing nothing, the Working Group was asked to urge the Nepalese Government to respond to the request of the 19 plaintiffs, in accordance with Nepalese law and its international obligations.

42. The Working Group was given some up-to-date information on the forced labour situation in Brazil. Since the last reports, the Brazilian Government had adopted Act No. 9777 in 1998 amending the provisions of the Penal Code so as to increase the penalties incurred by anyone using or involved in the use of forced labour. The new law had been in force for more than 18 months, but was apparently not being enforced effectively. The special mobile inspection unit responsible for giving effect to the law by organizing raids to release workers had not been able to prosecute persons involved in the use of forced labour. That was especially regrettable since workers who were not protected became easy preys to threats and other forms of intimidation by powerful employers. In the circumstances, workers were unwilling to lodge complaints. Although the special mobile inspection unit had succeeded in freeing more than 639 workers in 1999 - five times more than in 1998 - only two persons had been imprisoned for an offence under Act No. 9777. The Brazilian Government had been called upon to take all necessary measures for effective enforcement of the law.

43. Despite reports from many speakers that the persistence of bonded labour in some countries was due to the survival of traditional systems such as feudalism, participants pointed out that the phenomenon was more complex and was not restricted to regions or countries that had been under feudal rule. In the modern world, they said bonded labour very often affected migrant workers and cases of bonded labour had even been found in countries like the United Kingdom and the United States. Such cases occurred because countries with a high rate of immigration held the erroneous belief that the practice of bonded labour was geographically restricted to certain countries and systems, and that there was therefore no need to pass legislation forbidding such practices in their own countries. Yet bonded labour appeared to depend chiefly on factors related to power and authority.

44. In the course of a general discussion on bonded labour and debt bondage, some non-governmental organizations put forward a series of practical recommendations, often based on positive results obtained in isolated cases. Apart from efforts to combat poverty and illiteracy, more concrete, specific actions could be undertaken. One of the first steps in combating bonded labour was to mobilize and organize the victims of bondage. Since that could not be achieved without basic education or the creation of public awareness, priority should clearly be given to general education and human rights education, as well as to public information campaigns. Legislation forbidding and penalizing bonded labour and freeing the workers involved could not be effectively enforced without prosecuting and convicting those who profited from the system. Another essential step to be taken was to offer economic alternatives to freed labourers so that they were not obliged to take on new loans and relapse into bondage. Successful rehabilitation programmes had given workers control over the resources they were using, either through small loans or through the distribution of resources by the State. At international level, the Working Group's attention was drawn to a programme of action against child labour prepared in 1992 by the ILO and the Centre for Human Rights after a seminar on the subject held in Islamabad (Pakistan), which had identified action needed

nationally and internationally. An assessment of the seminar's recommendations could be undertaken by ILO and the Office of the High Commissioner for Human Rights. The need to strengthen the judicial system was also mentioned several times.

45. The majority of participants, both governmental and non-governmental, were agreed on the negative influence of external debt on countries afflicted by practices similar to slavery.

46. After closing the discussion on debt bondage and bonded labour, the members of the Working Group paid tribute to the efforts made by the non-governmental community and civil society in the countries affected. Their commitment was reflected in the testimony they had given before the Working Group. The members also expressed appreciation for the goodwill and cooperation of Government representatives, who had made a very useful contribution to the debate. The non-governmental organizations made it clear that they were participating in the Working Group's meeting in a spirit of cooperation and dialogue and not confrontation.

47. In the course of discussions on the question of debt bondage, Mr. Goonesekere made the point that the victims of such practices came from the most vulnerable sectors of society. Ms. Motoc praised the authenticity of all the testimonies received by the Working Group: new forms of slavery needed to be monitored very carefully. The time had come to consider the implementation of the recommendations put forward by the Working Group in recent years.

III. REVIEW OF THE IMPLEMENTATION OF AND FOLLOW-UP TO THE CONVENTIONS ON SLAVERY

A. Status of the conventions

48. For item 4 (a) of its agenda, the Working Group had before it reports on the status of the conventions on slavery (E/CN.4/Sub.2/AC.2/2000/2 and E/CN.4/Sub.2/AC.2/2000/3). As each year since 1991, the Working Group also had a list of the countries which had not ratified the conventions.

49. The Working Group had always expressed concern at the slow increase in the number of States which had ratified the 1949 Convention. Owing to a sense of discouragement, however, it had not invited States which had not yet ratified the Convention to meet members of the Working Group for an informal exchange of views, as it had done regularly since its nineteenth session.

B. Review of information received regarding the implementation of the conventions and programmes of action

50. Certain participants expressed their concern at the reservations made to the 1949 Convention, particularly as that instrument was being interpreted in different ways. One participant referred to the failure of the United Kingdom of Great Britain and Northern Ireland to ratify the Convention and the reasons for that decision.

51. Another participant drew the Working Group's attention to the increasing number of foreign prostitutes - especially from eastern European countries - in the United Kingdom. He considered that the increase was due to the country's failure to ratify the 1949 Convention. He told members about his most recent efforts to encourage the authorities in his country to ratify the Convention, possibly subject to reservations, if that could facilitate or even encourage ratification.

52. In response, the representative of the United Kingdom said that the reasons why his country had not ratified the 1949 Convention had not changed. Under the Convention, more offences were likely to be penalized than under British law. Nevertheless, he assured the Working Group that his Government was firmly committed to combating all traffic in persons and that a change in the country's legislation on the subject was under discussion. In addition, the British Government was financing a programme implemented by the International Organization for Migration to combat trafficking in persons in the region of the Balkans, as well as an ILO project against traffic in the south-east Asian region.

53. The possibility of entering minor reservations which would not be contrary to the objectives of the Convention and which might encourage ratification was raised by participants. Some felt that reservations weakened the implementation of international instruments and that States which had already expressed reservations should withdraw them. The representative of Egypt expressed the view that the possibility of lodging reservations was an important principle of international law, which facilitated the ratification of international instruments by as many countries as possible. Realistically, the international community should consider reviewing certain reservations rather than trying to eliminate them altogether. He also drew participants' attention to the study on the question of reservations which was to be prepared by Mrs. Hampson, a member of the Sub-Commission on the Promotion and Protection of Human Rights.

54. Mr. Alfonso Martinez referred to the provisions of the 1969 Vienna Convention, which instituted and defined the principle of reservations. That Convention allowed States to withdraw reservations at any time. Referring to suggestions that States might be encouraged to make declarations rather than reservations, he pointed out that if the intention of a declaration was to modify the content of any part of a legal instrument, it amounted automatically to a reservation, regardless of the name it was given.

55. One participant mentioned the importance of implementing the programmes of action adopted by the Commission on the Working Group's initiative, especially the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography. He recalled that the adoption of that Programme of Action would be commemorated in 2002 and that the occasion could be used to launch a study concerning its implementation. Consideration of the implementation of the Programme of Action might be the Working Group's priority topic for 2002.

IV. REVIEW OF DEVELOPMENTS IN THE FIELD OF CONTEMPORARY FORMS OF SLAVERY AND MEASURES TO PREVENT AND REPRESS ALL CONTEMPORARY FORMS OF SLAVERY, INCLUDING CONSIDERATION OF CORRUPTION AND INTERNATIONAL DEBT AS PROMOTING FACTORS OF CONTEMPORARY FORMS OF SLAVERY

56. The phenomenon of corruption seems to be becoming an inescapable feature in the struggle against contemporary forms of slavery. For the purposes of its analysis, the Working Group considered that it should consider and analyse the role of corruption, condemn it and come up with solutions.

57. The issue of poverty as a factor conducive to the perpetuation of slavery was mentioned by many speakers, and in that connection, the problem of international debt faced by many countries was discussed at some length. The World Bank and the IMF place over 41 countries in the category of the most heavily indebted countries; these countries in difficulty are frequently urged to propose their own strategy for reducing poverty. Some participants recommended that indebted countries should be relieved of their debt and at the same time encouraged to invest refunds in social projects for the control of poverty, rehabilitation of former slaves and assistance to disadvantaged strata of society. While such action should not be regarded as a financial imposition it might lead to greater transparency in the expenditure of certain countries.

58. Mr. Goonesekere proposed that indebted countries should be relieved of their debt on the condition that countries where debt bondage was practised should cancel the debts of bonded workers and thus enable them to regain their freedom.

59. Mr. Alfonso Martinez joined the Chairperson of the Working Group in congratulating the participants who had taken the initiative, partly in response to the concerns of the Working Group, of studying the impact of international debt and poverty on slavery. He was among those who were convinced that poverty was the principal and root cause of the practices considered by the Working Group. Latin America was the region of the world with the greatest social imbalances and inequalities. He believed that the phenomenon of slavery would continue to grow until such time as poverty was defeated. He also pointed out that the external debt of some countries was simply "unrepayable", and expressed concern that debt payments were increasingly leading to a loss of sovereignty by indebted countries.

60. Mr. Weissbrodt said that while poverty was a major factor conducive to slavery, it was important not to ignore another major cause of slavery, which was discrimination, whether racial, ethnic, social, sexual or religious.

61. The Chairperson said it would be useful to conduct a serious study on the effects of the deteriorating world economic situation on the promotion of slavery.

62. The representative of Egypt agreed that there was a link between collective poverty and individual poverty and that it was worth considering the influence of both forms of poverty on the persistence of slavery. He believed that human rights violations were often motivated by economic gain. He suggested the possibility of organizing a seminar on extreme poverty and

human rights before the next session of the Commission on Human Rights. Moreover, he believed that the Working Group had a role to play in the organization of the World Conference Against Racism and could contribute to the preparatory work.

63. The Working Group was provided with information on certain slavery practices in Niger. The Voluntary Trust Fund on Contemporary Forms of Slavery had funded the participation of the representative of an organization working in Niger and of a young girl who had once been a victim of slavery. In spite of the provisions of article 12 of Niger's Constitution, which prohibited slavery, and the ratification by Niger of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, it was apparent that slavery was still being practised and mainly affected women and children, especially young girls.

64. According to the speaker, slavery in Niger was practised in all the ethnic communities; however, it took different forms from one community to another. In some communities, particularly those with a nomadic and pastoral tradition, the slave was regarded as the property of the master, regardless of whether he or she had been purchased, donated, acquired by force (by abduction or theft) or inherited. The most common form of such slavery was the gift of a young girl as a wedding present. Such practices were so deeply rooted in the culture that the victims submitted to them without resistance. The slave women/girls performed all household tasks and sometimes even tended the flocks or worked in the fields. Because the girls were used as sex objects, the onset of their puberty was severely delayed, unlike girls living in freedom, they often showed no signs until the age of 18 or 20 years. Moreover, some slave-owners held that raping girls was an effective cure for rheumatism. Slaves did not have the right to dress, to do their hair, or to practise their religion (Islam); any marriage to another man could be contracted or annulled at the master's whim and the couple's children were the master's property. Children born to a slave mother were kept in slavery, even if they were the children of the master. Such practices persisted on account of the obscurantism prevalent in some communities and the lack of any adequate legal machinery to suppress them. It had therefore been recommended that anti-slavery laws should be drafted and rigorously applied, that free and compulsory primary education should be introduced, that civil society should become involved and that former slaves should be rehabilitated. In addition, Niger should be granted international financial assistance.

65. In this same context, the Working Group heard the testimony of Zeinabou Ghalass, a girl who had been given to a family as a wedding present at the age of four. Zeinabou told the Working Group of her sufferings as a slave and appealed to the international community to put an end to slavery.

66. The representative of Egypt noted that those testimonies showed that besides poverty, customs and cultural practices were also conducive to the perpetuation of slavery and that there was a need to bring about a change in mentalities.

67. The attention of the Working Group was drawn to the publication of the fourth annual report of SOS Esclaves, an organization which though banned was active in Mauritania. The report listed the most recent attempts by the organization to free slaves. Although the Mauritanian Government was not historically responsible for slavery, SOS Esclaves regretted

that the Government continued to tolerate pro-slavery attitudes and very often discouraged attempts to eradicate them. That was because the group currently holding political, economic and social power did not wish to share its privileged position with the Haratin, the people who made up the majority of the population and who provided the supply of slaves. The question of the Haratin had in fact become a political issue.

68. Responding to the non-governmental organization, the representative of Mauritania said that although slavery had existed in Mauritania, it had never had a racial dimension and had never been practised on the scale of the West African slave trade. That was borne out by the fact that many present-day dignitaries and ministers were the descendants of former slaves. As long ago as 1981 Mauritania had authorized an independent United Nations body to visit the country to look into the matter. The report had then concluded that there only remained the economic, social and cultural after-effects of slavery, and Mauritania had since been endeavouring to put an end to those after-effects. That political will had culminated in 1998 in the establishment of the Office of the Commissioner for Human Rights, Poverty Control and Integration, which was responsible for the promotion of human rights and the fight against poverty. Mauritania was one of the very few countries to have established a policy of allocating the resources derived from debt relief to social expenditure and poverty reduction. The literacy policy based on compulsory primary education was beginning to bear fruit. Moreover, the land reform initiated in 1983 had been successfully strengthened. Mauritania like many other countries was undergoing far-reaching social, economic and political changes. Indeed, Mauritania had opted for multiparty democracy, which meant that people were free to denounce slavery. He regretted the sensationalism of the media, which used and distorted private affairs involving former slaves and turned them into anti-slavery issues.

69. The Working Group was provided with information on the slavery situation in Sudan. One of the participants who came from southern Sudan conveyed to the Working Group the evidence he had gathered on cases of abduction of women and children from the Christian south to the Muslim north. Since 1980, according to his information, hundreds of thousands of women and children from southern Sudan had been reduced to slavery, compelled to convert to Islam and forcibly arabized.

70. Other participants referred to the creation by the Sudanese Government in 1999 of the Committee for the Eradication of the Abduction of Women and Children (CEAWC). Although the Government had recognized that cases of abduction and forced labour occurred, they regretted that it continued to deny the practice of slavery resulting from such abductions. They acknowledged that it was very difficult to obtain reliable figures for the number of people abducted and also for those returned to their region of origin through the assistance of the CEAWC. Sudan had been encouraged to assess the number of people abducted and urged to take the necessary steps to ensure that the people involved in the abductions were prosecuted and punished.

A. Economic exploitation

1. Domestic and migrant workers

71. One participant reported to the Working Group on the work of Kalayaan, an organization active in the United Kingdom of Great Britain and Northern Ireland, which had taken part in previous sessions of the Group and had provided information on the status of migrant workers, particularly domestic workers, in western Europe and especially in the United Kingdom. The case of domestic workers in the service of diplomats had been raised once again. In the United Kingdom such workers had no means of leaving their employer, since their residence permit was tied to the employer. Nevertheless, many cases had been recorded of domestic workers who had escaped from their employer and were in an irregular situation in the United Kingdom. It appeared that the British Government was considering regularizing the situation of a number of those workers.

72. The increasing proportion of women in international migrations was mentioned, owing to the fact that more and more women were emigrating in search of employment.

73. The conclusions of three studies on child domestic work in Benin, Costa Rica and India were communicated to the Working Group. In those three countries a large number of children began their working lives as domestic servants before the age of 12. The three studies showed that 80 per cent of the servants were girls. That was because the parents felt that domestic work was a safe activity that did not place the girls in danger. In all three cases the wages received by the servants were below the minimum wage. All the children had health problems on account of poor nutrition and overwork. Another factor common to the three studies was the verbal, physical and sexual abuse to which the children were subjected. The problem of the exploitation of children as servants was regarded as being of marginal importance owing to the lack of legal protection and the fact that it was a private matter. The countries had been encouraged to ratify the relevant international instruments (ILO Convention 182 on the Worst Forms of Child Labour and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families). The Working Group was urged to give priority to studying the question of child domestic workers at its twenty-seventh session in 2002.

2. Child labour

74. Information was submitted by an organization financed by the Voluntary Trust Fund on the child labour situation in the Dargah region of India. Poverty had forced the parents to send their children out to work, very often as beggars; the children were exposed to violence, drugs and prostitution; the girls, who mainly worked as domestic servants, were subjected to all kinds of abuse, especially sexual abuse. Their parents were poor and illiterate and therefore exposed to all kinds of exploitation and abuse. A UNICEF programme, being implemented jointly with the Government of Rajasthan, was endeavouring to combat child labour, concentrating its activities mainly on education and access to health care. Informing the parents, making them aware of the dangers run by their children and offering short-term and medium-term economic alternatives were essential.

75. The case was mentioned of children used on Indonesian fishing platforms off the north-eastern coast of Sumatra. The platforms, commonly known as "jermals", received supplies from the coast only once a fortnight. The children working on them were recruited for a minimum of three months, separated from their families, unable to go to school and above all had no way of leaving the platform. They looked after the nets and cleaned, dried and treated the fish that was caught. A study conducted by an Indonesian NGO had shown the danger of such work, which had cost many children their lives. The Indonesian Government had been urged to make surprise inspections of the jermals to put an end to the use of children.

76. The representative of Indonesia expressed her country's commitment to combating this form of exploitation of children. Besides the international instruments ratified by Indonesia, such as the Convention on the Rights of the Child and ILO Convention No. 182, her country had instituted cooperation with ILO's International Programme on the Elimination of Child Labour (IPEC). The Government did make surprise visits to the platforms to make sure there were no children on board. A high-level committee had been set up under the auspices of the ILO programme to combat the use of child labour in the fishing industry. Moreover, a project had been set up with the aim of rehabilitating over 2,000 children working on the platforms: the programme attempted to provide the children with viable alternatives and imposed compulsory education for nine years.

77. The Working Group was provided with information on the use of children in camel races in the United Arab Emirates. It appeared that children as young as 5 or 6 years old were used as jockeys. According to the information supplied, the children were abducted, purchased or removed under false pretences. They were all boys and had to train and compete under extremely difficult conditions. In particular, they were deprived of food before the races so that they would be as light as possible. Nevertheless, it had been reported that the use of children under 14 years of age or weighing under 45 kg was prohibited in the United Arab Emirates. In 1998 the Emirates had informed the Working Group that the Government was doing its best to put an end to the practice. The Working Group was informed of the reply given by the United Arab Emirates embassy in London to the organization that was looking into the matter, drawing attention to the measures taken by the Government to prevent the use of young children for camel races.

B. Sexual exploitation

1. Traffic in persons and exploitation of the prostitution of others

78. It was during the twenty-fifth session of the Working Group that participants heard the news of the 58 Asians who had died of suffocation inside a truck in the port of Dover. Those unfortunate people, victims of the traffic in persons, were attempting to escape from poverty and unemployment in their own country: their tragedy offers striking proof that trafficking and its ill-effects are a reality now affecting all regions of the world.

79. A number of participants drew the attention of the Working Group once again to the issue of trafficking in children in West Africa. One participant, financed by the Voluntary Trust Fund on Contemporary Forms of Slavery, reported on the traffic in children from Benin to Gabon.

The causes of that traffic included the improper use of cheap domestic labour, the large number of middlemen attracted by easy profits, the decline into poverty and endemic unemployment. The victims of the traffic were mainly girls under 10 years of age who were taken to work as servants. The middlemen were given the task of finding the children and seeing that they were provided with papers. According to the speaker, the papers were often false, which pointed to the involvement of the administrative authorities. The children were placed in homes as servants, totally cut off from their families and their country. If they were paid at all, they received less than the minimum wage. They were subjected to verbal and physical abuse, and left completely at their employer's mercy. In other cases the children, especially boys, were sold to farmers or traders to work for a pittance under extremely harsh conditions. The various reports reflected concern at the extent and increase of such trafficking. Public information campaigns, compulsory education for children and information campaigns designed to enhance the worth of girls, who were often regarded as "unproductive", were among the urgent measures that needed to be taken to put an end to such trafficking. NGOs in the region wanted anti-traffic committees to be set up. The countries concerned were urged to ratify ILO Convention No. 182. Similarly, national laws needed to be amended in order to punish such trafficking.

80. The Chairperson of the Working Group stressed the importance of compulsory primary education, especially for girls. Parents should be encouraged to send their daughters to school and sanctions against parents might even be considered if they failed to comply with that obligation.

81. One participant referred to the consultations and to the special session on the traffic in persons and the sex industry, which had been organized during the previous session of the Working Group. Several seminars had been held on the subject. As part of the review of the implementation of the Beijing Platform for Action adopted five years ago, some NGOs had organized a workshop in New York on 6 June 2000 on the elimination of the traffic in persons and the protection of the rights of migrant women. Moreover, the NGOs particularly concerned by the former issue had organized themselves into a "caucus against traffic in persons" and were working closely with the Office of the High Commissioner for Human Rights to implement the project to combat the traffic in women and girls. Some participants raised the possibility of proclaiming a United Nations day, or even a decade, against traffic in persons. Moreover, the Working Group was informed that the High Commissioner for Human Rights was looking into the possibility of making traffic in persons one of the topics of the World Conference Against Racism. It was also informed of a regional seminar to be held in Bangkok in September 2000 on the subject of migrant workers and traffic in persons, particularly women and children, suggested by the High Commissioner in connection with the World Conference Against Racism. The Working Group was invited to pay particular attention to those developments.

82. Some participants expressed their deep concern at the trends that seemed to be emerging from the discussion concerning the preparation of the draft protocol to the Convention against Transnational Organized Crime with regard to trafficking in persons, especially women and children. Defining the traffic in persons was in fact the most delicate aspect of the draft Protocol. Some participants were concerned that the definitions currently under discussion considered traffic only in terms of the concepts of coercion, force, constraint, deception, fraud or similar conditions. Moreover, the emphasis was laid on trafficking for purposes of forced labour and slavery, to the exclusion of any reference to the exploitation of prostitution, which accounted

for the majority of trafficking cases. Equally disturbing was the fact that consent appeared to be central to the definition and that the concept of victim was giving way to the concept of "trafficked persons", which from the legal standpoint and particularly the standpoint of human rights, had the effect of reducing the protection to be provided for such persons.

83. The speakers took the view that those developments, which they considered negative, together with the areas avoided in the negotiations, demonstrated that the question of traffic for prostitution lay at the heart of the debate, a fact that presented serious difficulties for countries that had regulated or legalized "sex work" and even procuring. Consequently, they believed it was essential to include in the definition the concept of incitement, a reference to prostitution or sexual exploitation and a reference to the trafficking perpetrated with or without the victim's consent. The new instrument being drafted in Vienna should in no way weaken existing international provisions.

84. Speakers opposed to the legalization of prostitution pointed out that the sex industry was all the more difficult to combat since it was worth US$ 52 billion. Moreover, they expressed their anxiety at the content of the report submitted by the Special Rapporteur on violence against women to the fifty-sixth session of the Commission on Human Rights. They claimed that the report dealt only with trafficking based solely on coercion, that it criticized the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and that it assimilated prostitution to work. Above all, the attention of the Working Group was drawn to the fact that the report placed consent at the heart of the definition of traffic. That meant that a woman consenting to her exploitation would no longer be a victim of trafficking but an "illegal migrant sex worker". It appeared to the speakers that the Special Rapporteur agreed with the supporters of the legalization of prostitution.

85. Those against legalization of prostitution also maintained that a definition of trafficking linked to proof of coercion would oblige the victims of trafficking to supply proof of coercion, failing which they would no longer be regarded as victims. For the international community that would mean a defeat for the whole concept of human rights in respect of the problem of traffic in persons.

86. The concerns expressed by the speakers on the issue of trafficking were shared by other participants in the Working Group, particularly the representative of Bangladesh.

87. The Working Group expressed appreciation of the excellent standard of the testimonies provided on this issue. The Chairperson felt that those responsible for drafting the texts on transnational crimes and traffic in persons ought to take account of the human rights aspect in their activities. She also pointed out that the Working Group could not comment on the work of another human rights body, such as the Special Rapporteur on violence against women. Mr. Weissbrodt supported that position; however, Mr. Alfonso Martinez suggested inviting the Special Rapporteur to take into account the adverse effects of a narrow definition of traffic.

88. The representative of Egypt also welcomed the quality of the testimonies given and noted that there were three approaches to the question of traffic for prostitution purposes. There was the human rights approach, which regarded prostitution as a violation of human rights inasmuch

as it involved the shameless exploitation of the body of a human being. There was the criminal approach, which consisted of penalizing trafficking at the international level and which encouraged many States to favour the narrowest definition. Finally, there was the commercial approach, which considered the astronomical amounts of money such traffic was worth. He believed that the upsurge in trafficking and prostitution reflected a certain deterioration in human rights attitudes.

89. Still on the subject of traffic in persons, the members of the Working Group exchanged views on the upsurge in the traffic in women from the countries of Eastern Europe towards the countries of Western Europe. They also discussed international terminology used to describe countries of the world according to pre-established categories, and cultural diversity in a context of globalization.

90. One participant drew the attention of the Working Group to the conclusions of a recent study that set out to evaluate the extent of the traffic in women for the purpose of sexual exploitation in the United Kingdom. The report stated that it was extremely difficult to obtain information on the number of women involved, since the traffic was arranged through secret and extremely well organized networks. It seemed that increasing numbers of women were coming from the former "Eastern bloc"; they were cheap and easy to control. A series of recommendations had been made to the British Government for dealing with this growing phenomenon.

91. An organization financed by the Voluntary Trust Fund for the Control of Contemporary Forms of Slavery, operating in an industrial region of Russia, supplied the Working Group with information about the traffic in women from the Russian Federation to other countries. The speaker stated that increasing numbers of young women were being offered jobs as babysitters, dancers and servants and invariably found themselves in brothels in Cyprus, Greece, Syria, Turkey, Israel, Italy, Japan, the United Kingdom or the United States of America, working in horrible conditions. These young women, sometimes not yet 18 years of age, travelled as tourists and were caught up in the web of the traffickers. Since a study had shown that 97 per cent of young women questioned wanted to go abroad to find work, her newly created organization was endeavouring to inform young women about the dangers they were incurring and was encouraging the media to do likewise. The Russian Government was being urged to change its legislation so as to punish those engaged in trafficking. Her organization had also begun to implement a rehabilitation programme for traffic victims who returned home.

92. Another organization financed by the Voluntary Trust Fund provided the Working Group with information on the prostitution and traffic for sexual purposes of young women in India. The causes of trafficking included poverty, illiteracy, unemployment, ill-treatment by parents, widowhood, abandonment by the husband, abduction and ignorance. Statistics showed there were 24 million prostitutes and 52 million children of prostitutes in India. In some border villages it seemed that the entire community was involved in the traffic in girls. Indian girls tended to be victims of the traffic to neighbouring countries, whereas girls from Nepal, Bangladesh, Pakistan, Bhutan and Sri Lanka were taken to India. One of the major consequences of trafficking and prostitution was the unprecedented increase in HIV infection: between 3 and 5 million people in India were thought to be infected by the virus, although the

precise number was difficult to establish. In order to provide the prostitutes with better protection, the speaker said she was in favour of legalizing prostitution and appealed to the Indian Government to bring about legalization quickly.

93. Other participants reiterated their opposition to the legalization of prostitution.

94. Some participants denounced the systematic violence inflicted upon women and girls, often under the cover of traditional practices and more often still in the belief that women were of no account in society or in the family. The sexual exploitation of women and girls appeared to be constantly increasing. The Chairperson pointed out that women were the victims of discriminatory practices everywhere in the world.

95. Ms. Motoc said that poverty remained one of the principal causes of slavery and that corruption was conducive to slavery. With regard to traditional slavery, it was important that the Working Group should study the consequences of the shift from traditional societies towards political modernity, in particular the shift in emphasis from the community to the individual. In her view, one of the foremost illustrations of that shift was the very rapid growth of migration, whereby men, women and even children had no hesitation in emigrating in search of a better life. The Working Group might also review the way in which the recommendations it had made during the past 10 years had affected countries, both nationally and internationally. Moreover, it should contribute to the preparatory work of the World Conference Against Racism.

2. Sexual exploitation of children and work of the Special Rapporteur on the sale of children, child prostitution and child pornography

96. According to a report on the protection of child prostitutes in the United Kingdom, such children should systematically be regarded as victims of prostitution and sexual abuse and be treated as such. Persons abusing children, especially those under 13 years of age, should incur very heavy penalties, even up to life imprisonment.

97. The Working Group was informed of a request by a group of non-governmental organizations for a technical review of the optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. According to those organizations, the protocol as adopted offered inadequate protection for child victims, inasmuch as there was no obligation to protect victims and it failed to mention the right to protection of a child victim's identity, the principle of non-penalization of the child victim, or the age limit of 18 years. Finally, the protocol did not refer to any of the basic principles of the Convention on the Rights of the Child, namely the best interests of the child and the principle of non-discrimination.

98. All the speakers expressed frustration at the adoption of the protocol, recognizing that it did not strengthen the provisions of the Convention and that some of its provisions were excessively subject to domestic legislation. Nevertheless, they recalled the conditions under which the protocol had been negotiated and the difficulties experienced in reaching a compromise. Consequently, even though many countries were not entirely satisfied by the protocol, they were aware that it was the least imperfect text acceptable to a majority. It had been hoped that the Committee on the Rights of the Child, in supervising the implementation of

the protocol, would adopt an interpretation designed to strengthen the provisions of the protocol and bring them into line with the obligations set out in the Convention. Some speakers pointed out that the Committee would need financial assistance and human resources to monitor implementation of the Convention and of the two protocols that had just been adopted, particularly the protocol on the sale of children.

99. The members of the Working Group decided that the priority topic for the twenty-seventh session of the group in 2002 would be the exploitation of children, particularly in the context of prostitution and domestic servitude.

C. Other forms of exploitation

1. Illegal activities of certain religious and other sects

100. Students who had carried out research on this topic gave information to the Working Group, including details of the massacre of about 1,000 members of a Ugandan cult, the Church of the Restoration of the Ten Commandments. Some observers argued that people who belonged to sects sometimes ended up under the total domination of the persons or ideas ruling them, so that in their view, that amounted to a form of slavery.

101. Some participants observed that it was difficult to establish the borderline between cults and sects, and advocated vigilance. Nevertheless, they believed that the Working Group should continue to study the illegal activities of sects.

2. Traffic in human organs and tissues

102. The attention of the Working Group was drawn to an article in the Sunday Times of 28 May 2000 concerning the alleged traffic in kidneys involving persons in Moldavia and Turkey. It appeared that people from remote villages in Moldavia were being urged to sell one of their kidneys in Istanbul for the sum of US$ 3,000. According to the article, Interpol was involved in the investigation to identify and prosecute the intermediaries. Mr. Goonesekere pointed out that poverty could lead some people to resort to such practices.

103. While some of the participants, particularly the representative of Bangladesh, wished to include a reference to traffic in organs in the draft protocol under negotiation in Vienna, two participants questioned the relevance of assimilating traffic in organs to slavery. It was pointed out in reply that the matter had been considered under the heading of new forms of exploitation and that accordingly traffic in organs with its possible long-term effects could be assimilated to slavery.

104. Some participants took the opportunity of the discussion to mention the use - or "hiring" - of the reproductive system of women in the case of surrogate mothers. The physical, physiological and psychological consequences were extremely severe. There was no regulation of such practices or no psychological assistance was provided.

3. Paedophilia

105. Following a presentation on the topic of extraterritoriality, Mr. Goonesekere expressed regret that his country, Sri Lanka, had become a popular destination for paedophiles who preyed on girls and boys alike. The methods of the paedophiles were very subtle: they started by becoming accepted by the family of the children they were interested in, even going so far as to offer the family financial assistance. Eventually, the family felt indebted and offered one of its children in return. He also expressed regret that some paedophiles prosecuted in Sri Lanka had managed to escape justice following an extradition request from their own country.

106. One participant mentioned the agreement in force between the Philippines and the United Kingdom. When any of its citizens was prosecuted, the United Kingdom preferred the prosecution to take place in the country where they had committed the offence, and extraterritoriality applied only if they managed to leave the country of the offence.

107. The great dilemma for developing countries which derive much of their income from tourism is to take measures to keep out paedophiles and other sex tourists while safeguarding tourism in general. Mr. Alfonso Martinez called upon countries living off tourism to exercise the utmost vigilance, especially in protecting their children. The need to strengthen international cooperation between the tourist countries and the international organizations was pointed out. The Chairperson proposed that the report of the Working Group should be sent to the World Tourism Organization in order to draw its attention to the concerns of the Group. Mr. Weissbrodt proposed inviting representatives of WTO to take part in the next meeting of the Working Group, which would give priority to the question of traffic in persons. The invitation should be extended to the countries involved in the tourist trade, whether countries of destination or countries of origin.

108. Information on the prosecution of a paedophile who had used the Internet to collect over 22,000 pornographic photographs involving children aged from 2 to 13 years was brought to the knowledge of the Working Group. Misuse of the Internet is one of the topics to which the Working Group pays special attention.

109. The Chairperson mentioned that the damage caused by the "I love you" computer virus, which had affected all countries, had obliged computer experts to meet and decide on the establishment of an information technology police force with the object of tracking down computer viruses, and the dissemination of such viruses had been categorized as a crime. Consequently, the same method could be used to track down the suppliers and amateurs of child pornography pictures on the Internet.

4. Slavery-like practices

110. During the consideration of slavery-like practices, the attention of the Working Group was drawn to certain traditional practices analogous to slavery.

111. Reference was made to crimes of honour, particularly in the Sindh province of Pakistan. According to the *karokari* tradition, men or women suspected of carrying on an illicit relationship could be executed by the members of their family. It appeared that *karokari* was

still being practised to a substantial extent, since people living in rural areas claimed that the murder of adulterous women was a just act in the eyes of God and religion. The representative of Pakistan, however, stated that all crimes, whatever their cause, were punished in Pakistan. She made it clear that the crimes known as crimes of honour were really what were known historically as crimes of passion. They could in no way be justified, authorized, explained or motivated by religion.

112. The Chairperson recalled that, in her capacity as Special Rapporteur of the Sub-Commission on the Promotion and Protection of Human Rights on traditional practices affecting the health of women and the girl child, she had decided to pay special attention to the question of so-called crimes of honour. The social and traditional mechanisms at the root of such crimes should be carefully studied and an end must be put to those practices, the main targets of which were women. She also mentioned that many such crimes were committed under the false pretext of honour, but in reality for more material reasons such as inheritance.

113. The practices brought to the attention of the Working Group included that of bride-burning. According to the information provided, this crime was fairly common in India and involved the burning to death of young married women because the dowry was too small or for some other reason such as expecting a girl child.

114. The question of forced marriages was also discussed. It was pointed out that a distinction should be drawn between forced marriages and arranged marriages. The arranged marriage, which existed in many parts of the world, was based on the consent of both parties, whereas the forced marriage did not involve the consent of the parties, or at any rate of one of the parties.

115. The members of the Working Group pointed out that the fundamental cause of the persistence of such practices was the status or rather lack of status of women in the family and in society. The woman was seen only in her role as wife or mother; being of no value and no interest, she could be subjected to all possible abuses.

116. The attention of the Working Group was drawn once again to the psychological and physical consequences suffered by former victims of Japanese occupation during the Second World War. Cases of European civilians who had suffered in the Japanese camps were also mentioned. One participant noted with regret that the Working Group did not wish to continue considering the question, regarding it as resolved on account of the recognition by Japan of its responsibility and the establishment of a compensation fund for certain victims. He believed that the question merited further study inasmuch as the Government had not made any formal apologies to the victims, particularly the foreigners, in a language they could understand, and because the compensation fund was a private fund for making grants to former victims but did not take the form of reparation for the damage suffered.

117. Mr. Weissbrodt pointed out that the question of sexual slavery during armed conflicts had received and continued to receive close attention from the Sub-Commission. He drew attention to the reports submitted by the Special Rapporteur of the Sub-Commission on the situation of systematic rape and sexual slavery during periods of armed conflict. The Working Group did not need to consider the question any further, since it had already been dealt with by the Sub-Commission.

5. Other

118. During its session, and following the adoption by the Commission on Human Rights of its decision 2000/106 on the review of human rights mechanisms, the Working Group learned of proposals submitted by a group of non-governmental organizations for streamlining the Group's working methods. In accordance with the decision of the Commission on Human Rights, the Working Group's sessions would be cut from eight to five working days. Given its extremely full agenda, the Group would therefore have to streamline its work and make choices.

119. Some of the proposals made by NGOs were included in the Working Group's recommendations.

120. Mr. Weissbrodt drew the Working Group's attention to the study he had prepared jointly with Anti-Slavery International on the implementation of and follow-up to the conventions on slavery; he observed that no study of that kind had been made since 1982. An updated version of that initial study would be available at the fifty-second session of the Sub-Commission.

121. The Chairperson suggested that Mr. Weissbrodt's study should be used as a reference document for the work of the Group. She also welcomed the presence of many NGOs, expressing the wish for better representation of all the regions of the world, and encouraged NGOs from Africa and Latin America to attend.

122. During the Working Group's discussion on the recommendations it was to adopt, some experts wished to clarify their positions on some points. Mr. Alfonso Martinez pointed out that the term "human rights defenders", in paragraphs 2, 3 and 7 of recommendation No. 2 on debt bondage and bonded labour, did not apply exclusively to individuals or non-governmental organizations. He also expressed reservations about paragraph 12 of recommendation No. 16, saying that in his view the paragraph should not be taken to mean that the Working Group was setting itself up as a new monitoring body for instruments dealing with slavery.

123. Mr. Weissbrodt said he was concerned about the reference to religious sects in recommendation No. 16. He recalled that the word "sect" tended to be used to describe a religion that was disliked; such misuse of language by the Working Group could end up encouraging religious intolerance.

V. ACTIVITIES OF THE UNITED NATIONS VOLUNTARY TRUST FUND ON CONTEMPORARY FORMS OF SLAVERY

124. For its consideration of the situation of the Voluntary Trust Fund on Contemporary Forms of Slavery, the Working Group had before it the report of the Secretary-General on the Voluntary Trust Fund (E/CN.4/2000/80 and Add.1).

125. Thanks to the contributions received, as detailed in the aforementioned document, the Board of Trustees of the Trust Fund had been able to grant financial assistance to 18 non-governmental organizations for travel and participation in the work of the Group and financial assistance for 17 projects in the field, including in Africa and Latin America. The testimony of former victims and persons active in the field and acquainted with daily reality was

extremely useful to the Group. The subjects raised by those organizations were many and varied: debt bondage and bonded labour, the sexual exploitation of children and slavery-like practices, the position of child domestic workers, trafficking in persons for the purposes of sexual exploitation and child prostitution.

126. All the participants welcomed the presence of those organizations, which brought a practical, human dimension to the Group's work and enabled it to keep abreast of realities. The members of the Working Group also welcomed the abundance and quality of the testimony and presentations made by those organizations. The Board of Trustees was nevertheless encouraged to fund organizations representing every geographic region so as to avoid any implied criticism of a particular region or country.

127. The members of the Working Group also welcomed the presence, at their own expense, and participation in the deliberations of the Working Group of the Chairperson of the Board of Trustees of the Fund, Mr. Swami Agnivesh, and of one of the members of the Board of Trustees, Ms. Tatiana Matveeva.

128. The representatives of the Board of Trustees of the Voluntary Trust Fund on Contemporary Forms of Slavery drew the attention of participants to the fact that the Fund would need US$ 300,000 a year to function effectively and normally. The reports submitted regularly by the Secretary-General on the status of contributions and their use showed a desire for transparency and was intended to encourage donors. In the context of project funding, the Board of Trustees had decided that it was not its task to fund all projects in their entirety but rather, whenever possible, to act as a catalyst so that other agencies would contribute financially to the project in question. At its last session, the Board of Trustees had invited two non-governmental organizations that were very active on the international scene in the fight against slavery to give their opinion on the applications it had received for grants. It had welcomed the Fund's higher profile, with the Chairperson of the Board of Trustees being invited to take part in the work of the Commission on Human Rights. Donors had been thanked and an appeal had been launched for new contributions. It had been mentioned that many private individuals, particularly artists, contributed to the Fund.

129. Among the private contributions was one from pupils at a school in the United Kingdom who, as part of a project called "Progress of Schools Together", had managed to raise US$ 1,000 for the Voluntary Fund.

130. In that connection, Mr. Alfonso Martínez wished to take the opportunity to mention, in a different context, the increasingly important role of civil society in financing the activities of the United Nations. While in some cases such finance was not in itself a bad thing, he wished to express his concern at the drift towards the privatization of the United Nations as a result of a somewhat artificial financial crisis.

131. Some participants pointed out that donations from private individuals were an important way of strengthening international solidarity.

VI. RECOMMENDATIONS ADOPTED AT THE TWENTY-FIFTH SESSION

A. General considerations

132. The Working Group on Contemporary Forms of Slavery considers that slavery, in its various forms and practices, is a crime against humanity and that any acquiescence by a State in such practices, irrespective of whether it has acceded to the conventions on slavery or any other relevant conventions, is a violation of basic human rights.

133. A review of the information provided to the Working Group showed that despite the progress made in the protection of human rights and the preservation of human dignity all over the world, various forms of slavery still existed and new insidious forms of slavery were emerging. The Working Group considered as a matter of priority the questions of bonded labour and debt bondage, as well as the issue of trafficking in persons and the exploitation of the prostitution of others. It also considered child labour; sexual exploitation, especially of children and domestic and migrant workers; the status of the conventions; the activities of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and the methods of work of the Working Group.

134. The Working Group welcomed the increased participation of government representatives and of non-governmental organizations in its session, and thanked them for their valuable contributions to its work. The Working Group would like to express its gratitude for the presence of representatives of ILO throughout its session, despite the concomitant holding of the ILO Conference. In order to enrich the debate, the Working Group reiterated the hope that representatives of UNESCO, UNICEF and WHO, as well as the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on violence against women, would also attend its future sessions.

135. The Working Group congratulated all participants on the fruitful dialogue, the spirit of cooperation they had demonstrated and the positive atmosphere in which the deliberations had been conducted.

B. Recommendations

136. The following recommendations were adopted by the Working Group at its twenty-fifth session.

1. General

The Working Group on Contemporary Forms of Slavery,

Having devoted its twenty-fifth session to an overall evaluation of various contemporary forms of slavery,

1. Expresses its gratitude to all participants for information relating to all forms of exploitation;

2. Considers that poverty, ignorance and discrimination in all its forms are the main causes of contemporary forms of slavery and urges the United Nations specialized agencies to give particular attention to poverty and discrimination as factors leading to or perpetuating slavery and slavery-like practices and to include in their technical assistance programmes activities designed to eliminate slavery and slavery-like practices;

3. Also considers that it is necessary for all specialized agencies dealing with certain forms of contemporary forms of slavery to cooperate and coordinate their activities with the Working Group in seeking an integrated approach to the various problems in the fields of slavery and the slave trade, including slavery-like practices in all their manifestations;

4. Further considers that effective measures should be taken to assist in protecting the rights of those suffering from contemporary forms of slavery by drawing upon the expertise of, and improving coordination and cooperation between, various United Nations organs and bodies and the legal instruments dealing, directly or indirectly, with issues relating to contemporary forms of slavery;

5. Welcomes the important role that non-governmental organizations play in raising the awareness of the public at the national and international levels as to the grave consequences of contemporary forms of slavery for women and children;

6. Requests once again the Secretary-General to invite news agencies, the press, television and radio to contribute to the rapid elimination of slavery in all its contemporary forms by ensuring wide and effective publicity about existing cases of slavery, the slave trade, other slavery-like practices, trafficking in persons and exploitation of the prostitution of others, as well as the activities of the Working Group on Contemporary Forms of Slavery in this field, and also requests that a similar campaign of awareness be promoted by the Department of Public Information of the Secretariat.

2. Bonded labour and debt bondage

The Working Group on Contemporary Forms of Slavery,

Recalling article 4 of the Universal Declaration of Human Rights, which proclaims that no one shall be held in slavery or servitude, and the provisions of the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, of 1956, in particular its article 1 (a) prohibiting debt bondage,

Taking note of the comprehensive information provided by non-governmental organizations, at the twenty-fifth session and at previous sessions of the Working Group, on cases of debt bondage occurring around the world in both developing and industrialized countries, and the constructive responses given by government observers,

Welcoming the efforts of Member States to combat debt bondage by adopting laws prohibiting debt bondage and by establishing procedures to investigate individual reports of debt bondage and to free those involved,

Noting the apparent lack of information about debt bondage available to governmental and intergovernmental agencies,

Alarmed nevertheless at reports by non-governmental organizations that millions of men, women and children continue to be kept in servile status through debt bondage at the beginning of the twenty-first century, in particular reports that members of minority and indigenous communities are at particular risk of becoming victims of debt bondage, and also at information that many migrant workers are victims of debt bondage, notably those who have been trafficked for exploitation in prostitution, and that their predicament remains largely hidden and poorly investigated by both non-governmental organizations and governmental institutions,

Emphasizing the importance of accurate statistics and other relevant information about debt bondage being collected by States where cases of debt bondage are reported, in particular in order to ensure that remedial steps are taken which are commensurate with the scale of the problem,

Deeply concerned at reports that many victims of debt bondage are kept ignorant of their basic rights and that a strong sense of fatalism prevents bonded labourers from trying to change their servile status,

Convinced that basic education for all is a key provision for enabling bonded labourers to escape from servitude and that the provision of compulsory primary education for all, especially in rural areas, will reduce the number of bonded labourers,

Convinced further that debt bondage thrives in circumstances of inequality where poor families are given no access to basic means of production, in particular land, and that land reform is a desirable measure to prevent debt bondage,

Recalling the Programme of Action against Child Bondage prepared by the International Labour Office in collaboration with the then Centre for Human Rights of the United Nations (ISBN 92-2-108730), adopted in 1992, which specifies a range of measures which States can take against bonded labour and child bondage, including actions at the level of government policy formation, legislation, law enforcement, education, training, rehabilitation, community mobilization and raising public awareness about the unacceptability of child bondage,

Welcoming the adoption by the International Labour Organization in June 1999 of Convention No. 182 on the Worst Forms of Child Labour, article 3 (a) of which explicitly prohibits the practice of bonded labour concerning any child or young person under the age of 18,

Bearing in mind that the identification of "best practice" concerning methods for securing the release and rehabilitation of bonded labourers is likely to help Member States, intergovernmental organizations and non-governmental organizations take more effective action against debt bondage,

Convinced that the victims of debt bondage themselves are often the most appropriate individuals to consult on what strategies and techniques are likely to be effective and sustainable in facilitating their rehabilitation and long-term reintegration as free persons,

1. Urges States, whenever cases of debt bondage are reported in their countries, to take action as a matter of urgency to secure the release of those concerned, to develop techniques for assessing whether workers are bonded, even if they are intimidated (by threats or fear of loss of their jobs) or unwilling to reveal their bonded status, to prevent reprisals from being taken against them and to ensure they will not revert into bondage subsequently;

2. Encourages States to ensure that obstacles are not placed in the way of bonded labourers, or human rights defenders acting on their behalf, in registering formal complaints about the exploitation of bonded labour and, in the case of States in which such complaints are pending, to ensure that they are treated with the utmost urgency and seriousness;

3. Urges States to intervene as a matter of priority when human rights defenders are subjected to harassment or persecution for their involvement in trying to assist bonded labourers;

4. Strongly recommends that States which have adopted laws against debt bondage or bonded labour and in which cases of debt bondage continue to be reported ensure the effectiveness of the rule of law and fully apply legal and judicial procedures ensuring the prosecution and punishment of those involved in reducing men, women or children to bondage;

5. Invites States to review their national legislation to ensure that debt bondage is prohibited explicitly, that appropriate penalties are stipulated to deter anyone from providing a loan which has the effect of enslaving the person to whom the loan is made or others connected with them or reducing them to servile status, that loans which have the effect of reducing someone to debt bondage are considered null and void, and that law enforcement agencies are provided with appropriate instructions to enable them to identify cases of debt bondage and secure the release of bonded labourers, notably by providing them with interim relief from the time their cases are first reported and with suitable work outside a slavery-like relationship (and not making relief contingent on the culmination of the process to confirm that they have been bonded);

6. Recommends again that Member States set up monitoring committees to investigate reports of debt bondage and to establish the number of people in their country who are subject to servile status as a result of debt bondage, giving special attention to monitoring constraints on migrant workers imposed by employers or others who advance them money and to ensuring that migrant workers are not subjected to debt bondage and that, if debt bondage is reported, Member States consider establishing special institutions to implement the law against this abusive practice, such as special law enforcement units or commissions at either national or local level;

7. Encourages States to allow current or former bonded labourers, human rights defenders and others to have access to the mass media in their country in order to draw attention to continuing patterns of debt bondage and to alert bonded labourers to their rights, and exploiters of bonded labour to the unacceptable and illegal nature of the practice;

8. Urges States to give special attention to ensuring that all children of bonded labourers complete primary education, whether or not the children themselves are bonded;

9. Recommends that Member States ratify ILO Convention No. 117 concerning Basic Aims and Standards of Social Policy, 1962, ratified by 32 States at the end of 1998, which is concerned in particular with reducing forms of wage payment that foster indebtedness and requires ratifying States to take "all practicable measures" to ensure that a series of protections for workers are implemented to prevent debt bondage occurring;

10. Invites States to adopt and implement plans of action against all the worst forms of child labour;

11. Invites the International Labour Organization to provide information on its efforts to promote implementation of the 1992 Programme of Action and on any obstacles which have impeded its implementation;

12. Also invites the International Labour Organization also to prepare draft model legislation or rules on the establishment and functioning of governmental institutions to monitor reports of debt bondage and to respond by initiating procedures to the release and rehabilitation of those concerned;

13. Further invites the International Labour Organization, together with other competent United Nations organs and specialized agencies, to consider the possibility of holding a seminar or a workshop to determine the best practices for the eradication of debt bondage, and in particular to assess what forms of international support are most appropriate for community mobilization and to enable bonded labourers to make use of their right to freedom of association, and what techniques have proved most effective in facilitating the rehabilitation and reintegration of victims of debt bondage;

14. Urges Member States in which cases of debt bondage have been reported in the past five years to implement the ILO Programme of Action against Child Bondage, in particular with respect to children subjected to debt bondage, but also ensuring that, if adult men or women are reported to be affected, the same or similar measures are applied with respect to them, as well as to entire families who are subjected to debt bondage;

15. Recommends that all competent United Nations organs, specialized agencies, development banks and inter-governmental agencies involved in development initiatives take action to contribute to the elimination of debt bondage, in particular by the provision of alternative sources of credit to bonded labourers;

16. Recommends once again that Governments cooperate with trade unions and employers' organizations at the national level to address the problem of bonded labour and that trade unions and employers' organizations at the local, national and international levels utilize the existing structures of the International Labour Organization dealing with violations of the relevant conventions concerning forced labour, and encourages concerned non-governmental organizations to strengthen their activities for disseminating information and advising trade unions in this regard;

17. Invites international financial institutions to encourage micro-credit as a mechanism for the eradication of debt bondage;

18. Invites Member States to provide information to the Working Group at its twenty-seventh session, in 2002, about measures taken to suppress or prevent debt bondage;

19. Decides to keep the question of debt bondage under consideration and to assess the progress achieved at future sessions, with a view to the total elimination of this abhorrent practice.

3. United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

The Working Group on Contemporary Forms of Slavery,

Recalling General Assembly resolution 46/122 of 17 December 1991, by which the Assembly established the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery,

Recalling also that the Trust Fund was established to assist representatives of non-governmental organizations to participate in the deliberations of the Working Group on Contemporary Forms of Slavery by providing them with financial assistance and to extend, through established channels of assistance, humanitarian, legal and financial aid to individuals whose human rights have been severely violated as a result of contemporary forms of slavery,

Recalling further the close relationship between the mandate and the activities of the Working Group and those of the Board of Trustees of the Trust Fund, and the necessary cooperation between them,

1. Expresses its gratitude to Governments, organizations and individuals, including young students, who have contributed to the Fund and encourages them to continue doing so;

2. Expresses its appreciation for the participation at the twenty-fifth session of the Working Group of about twenty representatives of non-governmental organizations financed by the Fund, including victims of contemporary forms of slavery, and for their valuable contribution to the work of the Working Group;

3. Invites the Board of Trustees of the Voluntary Fund to promote the participation at the annual sessions of the Working Group of individuals and organizations from as large a number of countries as possible, in accordance with the priorities established in the agenda of the Working Group;

4. Notes with satisfaction that about twenty project grants were paid by the Fund to local non-governmental organizations which work on issues of contemporary forms of slavery;

5. Expresses its support for the work of the members of the Board of Trustees of the Fund, in particular their fund-raising activities;

6. Recalls the appeal made by the General Assembly in its resolution 46/122 to all Governments to respond favourably to requests for contributions to the Fund, and urges them and non-governmental organizations, other private or public entities and individuals to contribute to the Fund and encourages them to do so in order to enable the Fund to fulfil its mandate effectively in the year 2001;

7. Expresses its deep appreciation for the participation of the President and a member of the Board of Trustees, who attended the twenty-fifth session at their own expense, and invites the Board members to participate at the twenty-sixth session of the Working Group;

8. Decides to continue to examine the situation and the activities of the Trust Fund at its twenty-sixth session.

4. Traffic in persons and exploitation of the prostitution of others

The Working Group on Contemporary Forms of Slavery,

Reaffirming the principles set forth in the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenants on Human Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child,

Recalling the Slavery Convention of 1926 and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956,

Recalling also the Convention of 1949 on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others which, inter alia, underlines that prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community,

Recalling further that the Convention on the Elimination of All Forms of Discrimination against Women requires States parties to take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women,

Recalling also that the Convention on the Rights of the Child requires States parties to take measures to prevent the sale of or traffic in children for any purpose or in any form, as well as the exploitative use of children in prostitution, pornography or other unlawful sexual practices,

Welcoming General Assembly resolution 53/116 and Commission on Human Rights resolution 2000/44 on traffic in women and girls,

Welcoming also the launching by the Office of the High Commissioner for Human Rights of its project on trafficking in persons,

Recalling the Programme of Action on the Traffic in Persons and the Exploitation of the Prostitution of Others (E/CN.4/Sub.2/1995/28/Add.1) approved by the Commission on Human Rights in its resolution 1996/61,

Aware of the report of the Special Rapporteur on violence against women, its causes and consequences (E/CN.4/2000/68), particularly the special focus on trafficking in women, women's migration and violence against women,

Taking note of the work being done by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, in particular its elaboration of a protocol to prevent, suppress and punish trafficking in persons, especially women and children,

Deeply concerned at reports that the definition of "trafficking" contained in the present version of the draft protocol limits coverage of "trafficking" to those cases in which such activity is carried out through coercion without the "consent" of those who were trafficked, thus shifting the focus of the inquiry and the burden of proof from the actions of the accused to the state of mind of the complainant,

Noting the consensus reached on the optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,

Alarmed at the rapid expansion of the global sex industry, in particular in its new and pernicious forms, and of associated violations of human rights, particularly in relation to women and children,

Recognizing that women and children from developing countries and countries in economic transition, minorities, refugees, migrants, indigenous peoples and other groups that are systematically subjected to discrimination and racism are especially vulnerable to trafficking, prostitution and related forms of sexual exploitation,

Concerned about the apparent link between globalization, States' immigration policies, and the phenomena of trafficking and smuggling,

Convinced of the urgent need to adopt immediate and effective measures to combat the traffic in persons and the global sex industry,

1. Urges Governments which have not yet done so, to ratify the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, International Labour Organization Convention (No. 182) concerning the Worst Forms of Child Labour and the Convention on the Elimination of All Forms of Discrimination against Women;

2. Reiterates its recommendation that the General Assembly declare a United Nations year against trafficking in persons, allowing sufficient time before the commencement of the year for the development of national and international plans of action;

3. Urges States to devise and adopt comprehensive national plans of action against trafficking in persons and exploitation of the prostitution of others, based on data collection, research and analysis, and in collaboration with non-governmental organizations, which should include the following:

(a) Measures to support the plan through the allocation of necessary financial and human resources;

(b) Measures to address the root and immediate causes of trafficking, prostitution and exploitation of the prostitution of others;

(c) The adoption and enforcement of measures against new practices of the global sex industry, especially sex tourism, trade in mail order brides and trafficking in women and children, in particular through the Internet;

(d) Measures to ensure systematic and periodic review of the plan;

4. Recalls its request to the Office of the High Commissioner for Human Rights to design guidelines for the elaboration of such national plans of action and, upon request, to provide technical assistance to States in the formulation of their national plan;

5. Urges States to ensure that their national development policies do not intensify the marginalization of women and place them at risk of sexual exploitation;

6. Encourages States to enact or revise national policies, laws and strategies and other administrative measures in order to ensure that victims of sex trafficking, trafficking and other practices of sexual exploitation are not the subject of criminal proceedings or other legal or administrative sanctions;

7. Strongly recommends States to ensure the effectiveness of the rule of law, to apply fully legal and judicial procedures, and to prosecute and penalize the criminals involved in trafficking in women and children and exploitation of the prostitution of women and children;

8. Invites States to take steps, including witness protection programmes, to enable trafficked and sexually exploited persons to make complaints to the police and to be available when required by the criminal justice system, and to ensure that during this time they have access to social, medical, financial and legal assistance, and to protection, as requested;

9. Encourages States to ensure the voluntary and safe return of trafficked persons;

10. Calls upon States, to the extent of available resources, to provide social services to the victims and survivors of trafficking and sexual exploitation, including shelter, counselling, medical care, legal services, education, job training and employment, and to take measures to prevent discrimination against and stigmatization of these victims;

11. Urges States to initiate community-based prevention programmes, especially in high-risk areas, to educate people on the tactics of recruiters and traffickers and on the risks of sexual exploitation;

12. Strongly recommends that the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime ensure that the protocol to prevent, suppress and punish trafficking in persons, especially women and children, and the protocol against the smuggling of migrants by land, air and sea do not conflict with or otherwise undermine existing international human rights obligations and standards, especially the 1949 Convention on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others;

13. Urges the Ad Hoc Committee to ensure also that the protocol to prevent, suppress and punish trafficking in persons, especially women and children is not limited to forced or coerced trafficking but includes all trafficking, irrespective of the consent of the victim;

14. Welcomes the recent adoption by the World Tourism Organization of a code of conduct against sex tourism and requests the Secretary-General to convey to the World Tourism Organization the Working Group's grave concern at the persistence and, even, the development of sex tourism;

15. Calls upon United Nations human rights bodies to focus on possible situations of human rights violations related to trafficking in persons and victims of prostitution, in accordance with the 1949 Convention on the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others;

16. Invites the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Human Rights Committee to elaborate general recommendations in order to clarify reporting procedures with regard to victims of trafficking, in particular for purposes of prostitution and exploitation of the prostitution of others, as provided in the 1949 Convention;

17. Takes note with concern that in her most recent report (E/CN.4/2000/68, para. 13) the Special Rapporteur on violence against women, offers a definition of "trafficking" that is inconsistent with the principles of the 1949 Convention;

18. Recommends that the issue of trafficking in persons, prostitution, and related practices of sexual exploitation be considered during the preparatory process of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and at the World Conference itself, which will be held in South Africa in 2001;

19. Further recommends that the International Labour office and/or the High Commissioner for Human Rights establish an international programme on the elimination of trafficking, similar to the International Programme on the Elimination of Child Labour (IPEC);

20. Decides to examine, as a matter of priority, at its twenty-sixth session, in 2001, the issue of trafficking in persons, with the active participation of non-governmental organizations and victims of trafficking, in preparation for the proposed United Nations year against trafficking in persons;

21. Welcomes the plan of the High Commissioner for Human Rights to organize an international seminar on the issue of trafficking in persons, migrants and human rights, and urges her to hold the seminar immediately prior to the twenty-sixth session of the Working Group and to invite the participation of members of the Working Group and non-governmental organizations attending the Working Group;

22. Encourages Governments, intergovernmental, regional and non-governmental organizations, the human rights treaty bodies, the special rapporteurs, especially the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on the human rights of migrants, to participate actively in and contribute to the discussion at the twenty-sixth session of the Working Group.

5. International cooperation for the prevention of illegal trafficking in persons, prostitution and the expansion of the world sex industry

The Working Group on Contemporary Forms of Slavery,

Deeply convinced of the need to foster international cooperation, including assistance for victim-oriented projects, for the prevention and repression of actions relating to trafficking in persons for the purpose of sexual exploitation, prostitution and the disturbing present-day expansion of the world sex industry, in the light of its negative impact on human rights,

1. Invites Member States regularly to share with their respective competent national enforcement agencies all information deemed useful for preventing and suppressing such actions, in particular data concerning individuals sanctioned because of these activities;

6. Prevention of transborder trafficking of children in all its forms

The Working Group on Contemporary Forms of Slavery,

Recalling its recommendation 5, contained in the report on its twenty-fourth session (E/CN.4/Sub.2/1999/17),

Concerned at new information according to which several types of trafficking of children regularly take place between the countries of Central and West Africa, and at the extensive nature of this problem in the region,

1. Reaffirms the provisions of its previous resolution on the issue;

7. The role of corruption in the perpetuation of slavery and slavery-like practices

The Working Group on Contemporary Forms of Slavery,

Aware of the negative impact of corruption on the full enjoyment of all human rights and fundamental freedoms,

Convinced that corruption at different levels contributes in most cases to the continuation of slavery and slavery-like practices,

Concerned that when the rule of law is perverted, the enforcement of any law against slavery or slavery-like practices may cease to produce positive results,

Noting that information received from both non-governmental organizations and experts clearly identifies corruption as playing a role in the continuation of slavery and slavery-like practices,

1. Urges once again all States to take adequate steps to monitor and enforce laws, particularly as they relate to slavery, slavery-like practices and corruption, including trafficking in women and children;

2. Encourages existing international arrangements aimed at improving the training and professionalism of law enforcement personnel, as well as their respect for human rights;

3. Decides to continue to examine this matter at its twenty-sixth session.

8. Misuse of the Internet for the purpose of sexual exploitation

The Working Group on Contemporary Forms of Slavery,

Acknowledging that the Internet can be a valuable medium of communication,

Noting that article 19 of the Universal Declaration of Human Rights identifies the right to freedom of expression as a fundamental human right and that all recommendations must be implemented to protect this right,

Alarmed, however, that multiple forms of sexual exploitation, such as prostitution, sex tours, bride trafficking, pornography, paedophilia, live sex shows and rape videos for sexual entertainment, are promoted on the Internet, in particular by organized crime syndicates, that the Internet is now the preferred site for the promotion of mail order brides and that the Internet offers multiple forums in which the trafficking, prostitution and sexual exploitation of women and children are promoted,

Noting that the scope, volume and content of the material on the Internet promoting or enacting the trafficking, prostitution and sexual exploitation of women and children are unprecedented,

Emphasizing that many of the practices of sexual exploitation on the Internet are characterized by domination, control and violence so extreme as to constitute serious violations of human rights and forms of sex discrimination,

Convinced that prostitution and the traffic in persons are incompatible with the dignity and worth of the human person and that practices of the exploitation of the prostitution of others and trafficking in persons are incompatible with human rights,

Acknowledging that the women and children subjected to sexual exploitation by means of the Internet are often from countries suffering, inter alia, from poverty and armed conflicts and that the men using the Internet for the purposes of sexually exploiting women and children are often from developed countries,

Convinced that heightened awareness of the harm to women and children of sexual exploitation, together with the political will to combat this harm, will significantly reduce the extent of trafficking for the purpose of prostitution and sexual exploitation through the Internet,

1. Recommends that Governments, as a matter of priority, review, amend and enforce existing laws, or enact new laws, to prevent the misuse of the Internet for trafficking for the purpose of prostitution and the sexual exploitation of women and children;

2. Urges Governments to act more forcefully to eliminate traffic in persons, exploitation of the prostitution of others and sexual exploitation through the Internet, and to consider setting up a mechanism aimed at better control of the Internet when abused for those purposes;

3. Recommends that Governments and non-governmental organizations develop and implement educational programmes on the harm caused by trafficking for the purpose of prostitution and sexual exploitation on the mental and physical well-being of women and children;

4. Requests Governments to investigate and use as evidence of crimes and acts of discrimination advertising, correspondence and other communications over the Internet to promote sex trafficking, the exploitation of prostitution, sex tourism, bride trafficking and rape;

5. Calls for new levels of cooperation among Governments and national and regional law enforcement bodies in order to combat the escalating trafficking for the purpose of prostitution of women and children, the globalization of this industry and the misuse of the Internet to promote and carry out acts of sex trafficking, sex tourism, sexual violence and sexual exploitation.

9. Implementation of the Conventions on Slavery

The Working Group on Contemporary Forms of Slavery,

Reaffirming that every woman, man and child has a fundamental right to be free from all forms of slavery and servitude,

Concerned that there has not been universal ratification of the treaties forbidding slavery and slavery-like practices,

Concerned also that the principal treaties prohibiting slavery and slavery-like practices lack an effective treaty monitoring mechanism and related procedures,

Recognizing the need to improve the monitoring of compliance with the various human rights treaties prohibiting slavery and slavery-like practices, as well as to encourage Governments to fulfil their obligations to abolish all forms of slavery,

Recalling Sub-Commission resolution 1999/17 of 26 August 1999, in which the Sub-Commission requested David Weissbrodt and Anti-Slavery International, a non-governmental organization in consultative status with the Economic and Social Council, to submit an updated review of the Conventions on Slavery to the Sub-Commission at its fifty-second session,

Welcoming the comprehensive updated review of the implementation and follow-up to the conventions on slavery (E/CN.4/Sub.2/2000/3 and Add.1),

1. Recommends that the Sub-Commission recommend the following draft decision to the Commission on Human Rights for adoption:

> "The Economic and Social Council, noting that the most recent updating of the Sub-Commission's report on slavery (1966) occurred in 1984, that is, more than 15 years ago, and recalling Commission on Human Rights decision 2001/.. of .. April 2001, decides that the updated report submitted to the Sub-Commission as documents E/CN.4/Sub.2/2000/3 and Add.1 should be put together without financial implications, into a single report, printed in all official languages and given the widest possible distribution."

2. Recommends that all States which are not parties to the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others of 1949, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights be called upon to become parties as soon as possible and to enact any legislation necessary to ensure that their laws conform to the terms of those treaties;

3. Expresses the hope that the Working Group will receive cooperation from all States, particularly the States most concerned, with regard to the annual issue selected by the Working Group;

4. Decides to invite non-governmental and intergovernmental organizations to provide information and testimonies with regard to the particular issue selected for consideration at the annual session of the Working Group.

10. Migrant workers

The Working Group on Contemporary Forms of Slavery,

Noting the adoption by the International Labour Organization of Convention (No. 182) on the Worst Forms of Child Labour,

Noting that migrant workers are frequently subject to discriminatory rules and regulations which undermine their human dignity, including being forced to live separately from their spouses and their minor children, sometimes for extended periods, and that they are often victims of violence, racism and xenophobia,

Noting also, in particular, cases of migrant domestic workers who are unpaid, subjected to various abuses and deprived of all their rights,

Welcoming Commission on Human Rights resolution 1999/44, in which the Commission decided to appoint a special rapporteur on the human rights of migrants,

1. Strongly condemns practices of unequal treatment of migrant workers and the denial of their human dignity;

2. Decides to continue to give special attention to the situation of migrant workers, in particular domestic workers, and urges Governments to ensure that protective regulations govern their employment situation and provide for safe conditions of work;

3. Takes note of the difficult situation in which migrant workers, especially women and children, are living and of the need for them to be provided with protection with a view to ensuring their fullest human development and participation in the life of their community;

4. Urges States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the General Assembly in its resolution 45/158;

5. Also urges States to take the necessary measures to prohibit and punish the confiscation of passports belonging to migrant workers, in particular migrant domestic workers;

6. Recommends that non-governmental organizations pay attention to the grave problems affecting migrant workers and provide the Working Group with information in this regard;

7. Recommends that the Sub-Commission on the Promotion and Protection of Human Rights consider this issue at its fifty-third session.

11. Child domestic workers

The Working Group on Contemporary Forms of Slavery,

Recognizing the persistent human rights abuses inherent in the practice of exploiting children as domestic servants,

Recognizing also that the practice of exploiting children as domestic servants violates the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery and the International Labour Organization Convention (No. 29) concerning Forced Labour of 1930,

Concerned at increasing information and testimonies on abusive treatment of girls and women domestic workers,

Concerned also that the issue of domestic child workers has not been addressed effectively at the international level,

Convinced that compulsory and free primary education of boys and girls is an essential tool to combat child labour, and in particular the use of children as domestic workers,

1. Urges States, while attempting ultimately to eliminate the phenomenon of child domestic labour by, inter alia, enacting and implementing laws on compulsory and free primary education, to adopt and enforce measures and regulations to protect child domestic workers and to ensure that their labour is not exploited;

2. Recommends that the International Labour Organization give more emphasis to the issue of child domestic workers;

3. Also recommends that the International Labour Organization establish additional country programmes for these children within its International Programme on the Elimination of Child Labour.

12. Elimination of child labour - a gender perspective

The Working Group on Contemporary Forms of Slavery,

Aware that existing laws against and international agreements concerning debt bondage are not being implemented effectively,

Concerned at the persistence of the exploitation of child labour and debt bondage, and aware of the necessity of combating these phenomena,

Recalling that work performed by girls, even though of high economic value, is often hidden, uncounted, unpaid, unseen and not regarded as work,

Deeply concerned about the cultural acceptance of very young girls working as domestic servants and their deprivation of educational opportunities, and that the hidden nature of their work makes them vulnerable to sexual abuse,

1. Urges all States, while attempting ultimately to eliminate the phenomenon of child labour, to adopt measures and regulations to protect child labourers, to ensure that their labour is not exploited and to prohibit their labour in hazardous occupations;

2. Calls upon States to eliminate all discrimination against girls in education, skills development and training;

3. Requests the Secretary-General to invite all States to continue to inform the Working Group of measures adopted to implement the Programme of Action for the Elimination of the Exploitation of Child Labour;

4. Invites the international community to cooperate in developing viable alternatives to child labour, in particular for young girls;

5. Decides to continue to pay particular attention to this issue at its next session.

13. Forced labour

The Working Group on Contemporary Forms of Slavery,

1. Reaffirms once again that forced labour is a contemporary form of slavery;

2. Decides to continue to give consideration to this issue at its next session.

14. Sale of children, child prostitution and child pornography

The Working Group on Contemporary Forms of Slavery,

Concerned at the persistence and growth of the sale of children, child prostitution and child pornography, and aware of the necessity of combating these phenomena,

Having considered the report submitted by the Special Rapporteur on the sale of children, child prostitution and child pornography to the Commission on Human Rights at its fifty-fifth session (E/CN.4/2000/73 and Adds.1-3),

Noting the recent adoption of the optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the comments made by participants concerning the possibility that the protocol might weaken the protection provided for children by the Convention on the Rights of the Child,

1. Requests the Secretary-General to invite all States to inform the Working Group of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, the Stockholm Declaration on Commercial

Sexual Exploitation of Children and the optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and other related developments, and report thereon to the Sub-Commission on the Promotion and Protection of Human Rights and the Commission on Human Rights at their next sessions;

2. Also requests the Special Rapporteur, within the framework of her mandate, to continue to pay attention to issues relating to the traffic in children, such as organ transplantation, disappearances, the purchase and sale of children, adoption for commercial purposes or exploitation, child prostitution and child pornography;

3. Strongly encourages the Special Rapporteur to participate in the twenty-sixth session of the Working Group, in view of the importance of her contribution to its deliberations;

4. Invites States to consider the establishment of a voluntary fund aimed at assisting the Committee on the Rights of the Child in strengthening implementation of the optional protocol, in harmony with provisions of the Convention on the Rights of the Child;

5. Decides to examine, as a matter of priority at its twenty-seventh session, in 2002, the issue of the exploitation of children, particularly in the context of prostitution and domestic servitude.

15. Traffic in human organs and tissues

The Working Group on Contemporary Forms of Slavery,

Concerned at information alleging that children and adults are victims of, or even abducted and killed for, the removal of organs for the purpose of commercial transplants and non-therapeutic research,

Taking note of Commission on Human Rights resolution 1999/46, in which the Commission requested the Secretary-General to examine the reliability of allegations regarding the removal of organs and tissues of children and adults for commercial purposes,

1. Urges States to take measures to investigate the seriousness of the information;

2. Decides to continue to give consideration to this issue at its next session.

16. Miscellaneous

The Working Group on Contemporary Forms of Slavery,

Taking note of the information received concerning the activities of religious and other sects,

1. Decides to continue the consideration on a biennial basis, as of 2001, of issues such as forced marriages, ways to combat sexual abuse of children inside the family and the urgent need for adequate help to be offered to victims of such practices;

2. Appeals to all Governments to send observers to the meetings of the Working Group;

3. Encourages youth organizations and young persons from various non-governmental organizations to participate in the meetings of the Working Group;

4. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining the periodic reports of States parties, give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 32, 34 and 36 of the Convention on the Rights of the Child, and include in their general comments and recommendations an item concerning contemporary forms of slavery;

5. Recommends that the supervisory bodies of the International Labour Organization and the Committee on Conventions and Recommendations of the United Nations Educational, Scientific and Cultural Organization give particular attention in their work to the implementation of provisions and standards designed to ensure protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, bonded labour and the traffic in persons;

6. Requests the Secretary-General to transmit to the committees mentioned above, the special rapporteurs concerned and the Working Group on Enforced or Involuntary Disappearances the recommendations of relevance to them and the report of the Working Group;

7. Requests the Secretary-General to give effect to his decision to reassign to the Working Group a Professional staff member of the Office of the High Commissioner for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity and close coordination within and outside the Office on issues relating to contemporary forms of slavery, in accordance with Commission on Human Rights resolutions 1996/61 and 1999/46;

8. Requests the non-governmental organizations to disseminate information about the Working Group as widely as possible;

9. Decides that a copy of the report of the Working Group should be sent, as soon as possible, to each participant at the session who requests such a copy;

10. Recognizes the advantages of continuity of the membership of the Working Group, but notes that the designation of any member to any working group of the Sub-Commission is within the realm of the regional groups of the Sub-Commission;

11. Decides that it will adopt a provisional timetable at the time of adoption of its provisional agenda;

12. Also decides that it will invite those Governments which have information relating to the priority issue to be discussed at the forthcoming session of the Working Group to assist the Working Group by providing the information either in advance or at that session;

13. Recommends that the Sub-Commission, in arranging its agenda, make provision for adequate discussion of the report of the Working Group near the commencement of each session, thereby strengthening its involvement in the activities of the Working Group.

Annex

PROVISIONAL AGENDA FOR THE TWENTY-SIXTH SESSION OF THE WORKING GROUP ON CONTEMPORARY FORMS OF SLAVERY

1. Election of officers.

2. Adoption of the agenda.

3. Trafficking in persons.

4. Review of the implementation of and follow-up to the conventions on slavery:

   (a) Status of the conventions;

   (b) Review of information received regarding the implementation of the conventions and programmes of action.

5. Review of developments in the field of contemporary forms of slavery and measures to prevent and repress all contemporary forms of slavery, including the struggle against corruption and the consideration of international debt as promoting factors of contemporary forms of slavery:

   (a) Economic exploitation:

      (i) Domestic and migrant workers;

      (ii) Bonded labour and debt bondage;

      (iii) Child labour;

      (iv) Forced labour;

   (b) Sexual exploitation:

      (i) Sexual exploitation of children and activities of the Special Rapporteur on the sale of children, child prostitution and child pornography.

6. Activities of the Special Rapporteur on violence against women.

7. Other forms of exploitation:

   (a) Illegal activities of certain religious and other sects;

   (b) Illegal and pseudo-legal adoptions aimed at exploitation of children;

(c) Traffic in human organs and tissues;

(d) Paedophilia;

(e) Miscellaneous: slavery-like practices in armed conflicts.

7. Activities of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery.

8. Adoption of the report of the Working Group to the Sub-Commission on the Promotion and Protection of Human Rights on its twenty-sixth session.

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